

1 Deverie J. Christensen  
Nevada State Bar No. 6596  
2 Phillip C. Thompson  
Nevada State Bar No. 12114  
3 JACKSON LEWIS P.C.  
3800 Howard Hughes Pkwy, Suite 600  
4 Las Vegas, Nevada 89169  
Tel: (702) 921-2460  
5 Email: [deverie.christensen@jacksonlewis.com](mailto:deverie.christensen@jacksonlewis.com)  
Email: [phillip.thompson@jacksonlewis.com](mailto:phillip.thompson@jacksonlewis.com)

6 *Attorneys for Defendant*  
7 *Quality Carriers, Inc.*

<input checked="checked" type="checkbox"/> FILED <input type="checkbox"/> ENTERED	<input type="checkbox"/> RECEIVED <input type="checkbox"/> SERVED ON COUNSEL/PARTIES OF RECORD
<b>DEC - 4 2018</b>	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

8  
9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 JANEAL MATHEWS,  
12 Plaintiff,

13 vs.

14 QUALITY CARRIERS, INC.,  
and, DOES I-X,  
15 Defendants.  
16

Case No. 3:18-cv-00456-MMD-WGC

**STIPULATION AND ORDER FOR  
EXCEPTION TO EARLY NEUTRAL  
EVALUATION ATTENDANCE  
REQUIREMENTS**

17 Pursuant to the Court's Order Scheduling Early Neutral Evaluation Session (ECF No. 9),  
18 all parties hereby stipulate to an exception to the early neutral evaluation ("ENE") in-person  
19 attendance requirements so that a representative from Defendant's insurance carrier may attend  
20 the session by telephone.

21 **I. REASON FOR REQUEST**

22 Defense Counsel recently learned that Defendant may have insurance coverage for this  
23 matter through Travelers Insurance Company. However, Defendant has a substantial, six-figure  
24 self-insured retention and any resolution of this matter at the ENE will be funded by Defendant.  
25 In addition, the representative for Travelers is located out of state and unable to travel to Reno,  
26 Nevada on the date set for the ENE. The insurance representative will be readily available by  
27 telephone. The insurance representative's absence will not adversely affect the ENE, and those  
28 present will have the appropriate settlement authority to reach a reasonable resolution at the ENE.

1 **II. COMPLIANCE WITH THE COURT'S ORDER**

2 The Court's Order Scheduling Early Neutral Evaluation Session provides that, "[i]n the  
3 event counsel for any party is aware of any circumstance which might cast doubt on a client's  
4 compliance with these [attendance] provisions, s/he shall immediately discuss the circumstance  
5 with opposing counsel to resolve it well before the early neutral evaluation." ECF No. 9, p. 3.

6 Upon learning of the insurance policy and speaking with the carrier representative  
7 regarding the representative's inability to attend in person, Defense Counsel immediately  
8 discussed the issue with Plaintiff's Counsel. The parties resolved the issue by agreeing to allow  
9 the insurance representative to be available telephonically.

10 Based on the foregoing, the parties agree that Defendant's carrier may be excused from in-  
11 person attendance at the ENE currently scheduled for December 12, 2018, at 1:30 p.m., and  
12 instead will be available telephonically.

13 Dated this 3rd day of December, 2018.

14 MAUSERT & OLDHAM

JACKSON LEWIS P.C.

15  
16 /s/ Mark Mausert

17 Mark Mausert, Bar No. 2398  
18 Cody Oldham, Bar No. 14594  
19 729 Evans Avenue  
20 Reno, Nevada 89512  
21 *Attorneys for Plaintiff*  
22 *Janeal Mathews*

/s/ Phillip C. Thompson

Deverie J. Christensen, Bar No. 6596  
Phillip C. Thompson, Bar No. 12114  
3800 Howard Hughes Parkway, Ste. 600  
Las Vegas, Nevada 89169  
*Attorneys for Defendant*  
*Quality Carriers, Inc.*

23 **ORDER**

24 **IT IS SO ORDERED:**

25 Dated: 12/4/2018

26   
27 CARLA BALDWIN CARRY  
28 UNITED STATES MAGISTRATE JUDGE

4851-1325-8881, v. 1